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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/466,279

12/17/1999

HAJIME INOUE

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530 7590 06/22/2007
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EXAMINER

BROWN, RUEBEN M

ART UNIT

PAPER NUMBER

2623

MAIL DATE

DELIVERY MODE

06/22/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief	Application No. 09/466,279	Applicant(s) INOUE ET AL.	
	Examiner Reuben M. Brown	Art Unit 2623	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 17 May 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
- a) ☒ The period for reply expires 4 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as ~~set forth~~ above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL -324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: _____
- Claim(s) objected to: _____
- Claim(s) rejected: 1, 3-11 & 13-20.
- Claim(s) withdrawn from consideration: _____

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See encloses Advisory Action.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____

ADVISORY ACTION***Response to Arguments***

1. Applicant's arguments filed 5/17/2007 have been fully considered but they are not persuasive. In the final Office Action, mailed 2/9/2007, independent claims 1 & 11 were rejected under U.S.C 103 (a) as being obvious over Yoshino, in view of Staats. Regarding the 103 rejection, applicant's main argument appears to be that even though Staats teaches that the Node Reference ID, hereinafter referred to as NR-ID, is maintained during a bus reset, the claim language is still not met. The instant claims 1 & 11 recite that for each device connected to a digital interface, that a register allocates unique node identification numbers, hereinafter referred to as UN-IDs; stores a record of the UN-IDs allocated for each device and maintains the record, regardless of whether the instant device remains connected to the digital interface, which reads on a bus reset.

Staats also teaches that a UN-IDs record is created for each device, "Bus initialization will also include creation of device data records", col. 5, lines 45-55. Staats goes on to teach that the data records includes a node base address, hereinafter referred to as NB-A, as well as the aforementioned NR-ID, see col. 3, lines 1-21 & col. 5, lines 3-26. Applicant agrees that the NR-IDs do not change during a bus reset, page 9, 1st paragraph of applicant's response, ("Although the node reference IDs were fixed, ..."). Applicant's argument is that in analyzing Staats with

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respect to 'allocating', 'storing' and 'maintaining the UN-IDs', the analysis should include the entire data record, and not be limited to the NR-IDs, as set forth in the final Office Action.

Examiner respectfully disagrees, and points out that the claims merely recite 'unique node identification numbers', without any further limiting parameters to the instant unique node identification numbers, except that it is maintained regardless of whether the device remains connected to the digital interface. For instance, the UN-IDs are not limited to a physical node, or virtual node, etc. In other words, there is no limitation in claims 1 & 11 that requires a UN-ID other than what is disclosed in Staats as the NR-ID. Specifically, it is clear that in Staats, the NR-ID is 'allocated' (e.g., created at initialization), 'stored' (e.g., stored in a memory comprising a linked list, col. 5, lines 45-60) and 'maintained' (e.g., ...data records of these reference IDs can be maintained for such purposes. Unlike the NB-A, the NR-IDs are not subject to change following a bus reset, col. 5, lines 15-25), which meets the claim language. Therefore, as claimed, unique node identification numbers is broad enough to read on the node reference IDs, as discussed by Staats. In view of the above discussion, the 103(a) rejection of record is maintained.

Regarding applicant's amended drawing, the amendments to Fig. 8A are entered. In view of the amended Fig. 8A, the 112 1st paragraph rejection of claims 1 & 11, is withdrawn.

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Any response to this action should be mailed to:

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or faxed to:

(571) 273-8300, (for formal communications intended for entry)

Or:

(571) 273-7290 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reuben M. Brown whose telephone number is (571) 272-7290. The examiner can normally be reached on M-F (9:00-6:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (571) 272-7331. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300 for regular communications and After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Reuben M. Brown


REUBEN M. BROWN
PATENT EXAMINER



Fig. 8A

